



- ☒ A copy of the sequence listing in computer readable form is being filed concurrently herewith and sent to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, Virginia 22202, per CRF PROBLEM REPORT mailed October 29, 2002.
- ☒ A copy of Communication regarding Sequence Listing is being filed concurrently herewith and addressed to Box Sequence.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.
  - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
  - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted

Date: January 23, 2002

By: Deborah L. Cadena  
Deborah L. Cadena  
Registration No. 44,048

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949  
USPTO CUSTOMER NO. 23601

1-28-02

0590

See



PATENT

Our Docket: P-NI 4552

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of  
J. Michael Salbaum

Serial No.: 09/754,997

Filed: January 4, 2001

For: NOPE POLYPEPTIDES,  
ENCODING NUCLEIC ACIDS  
AND METHODS OF USE

U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

) Examiner: Unknown

) Group Art Unit: 1632

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 856980291 US  
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Karly Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

K. Tambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Sir:

TRANSMITTAL

Responsive to the NOTICE TO FILE MISSING PARTS and CRF  
PROBLEM REPORT mailed October 29, 2001, the following are  
provided:

- x (1) a copy of the NOTICE TO FILE MISSING PARTS and CRF  
PROBLEM REPORT;
- x (2) a copy of the sequence listing in computer  
readable form;
- x (3) a Communication regarding Sequence Listing;
- x (4) paper copy of sequence listing, pages 1  
through 35 previously filed on January 4, 2001;
- x (5) a statement under 37 CFR §1.821(f) and (g).

A petition for a one-month extension of time is  
concurrently being filed herewith addressed to: Box Missing  
Parts. No other fee is deemed necessary. Please charge any  
additional fees or credit any overpayment to Deposit Account No.  
03-0370. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 23, 2002

Deborah L. Cadena

Deborah L. Cadena

Registration No. 44,048

Telephone: (858) 535-9001

Facsimile: (858) 535-8949

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San Diego, California 92122  
USPTO CUSTOMER NO. 23601



01-28-02 M

SECTOR \$

PATENT  
Our Docket: P-NI 4552

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
J. Michael Salbaum  
Serial No.: 09/754,997  
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PATENTS, WASHINGTON, D.C. 20231.

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
Attention: BOX MISSING PARTS

Karly Tambara  
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)  
ktambara  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

MISSING PARTS TRANSMITTAL

Dear Sir:

In response to the Notice to File Missing Parts mailed  
October 29, 2001, enclosed are:

- X 1. A copy of the Notice to File Missing Parts;
- X 2. An executed Declaration for Patent Application;
- X 3. A Recordation Form Cover Sheet and an executed  
Assignment;
- 4. An executed Small Entity Statement;
- X 5. An executed Power of Attorney for Patent Application by  
Assignee;
- X 6. An executed Statement Under CFR 3.73(b) with copy of  
executed Assignment;
- X 7. A Petition for a One Month Extension of Time  
is enclosed (in duplicate).
- X 8. Information Disclosure Statement and PTO-Form 1449 with  
Ninety (90) references attached.

The filing fee has been calculated as shown below:

	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	20 - 20	=	0	x	\$9	\$18	= \$	\$
INDEPEN- DENT CLAIMS	5 - 3	=	2	x	\$42	\$84	= \$	\$168
MULTIPLE DEPENDENT CLAIMS PRESENTED: YES <u>X</u> NO					\$140	\$280	= \$	\$00
					BASIC FEE		\$370	\$740
					TOTAL FEE			\$908

- X 9. A check in the amount of \$1,188.00 to cover the filing  
fee of \$908.00, \$110.00 of which covers the fee for a  
one-month extension of time, the surcharge fee of  
\$130.00, and \$40.00 for recording an Assignment for the  
application is enclosed.



# COPY

del/dlc

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/754,997	01/04/2001	J. Michael Salbaum	P-NI 4552

**DOCKETED**

CONFIRMATION NO. 4685

CAMPBELL & FLORES LLP  
7th Floor  
4370 La Jolla Village Drive  
San Diego, CA 92122Prop. Due  
12-29-01

## FORMALITIES LETTER



\*OC000000006991493\*

NOV 01 2001

Date Mailed: 10/29/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$160.
  - \$160 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1000.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PATENT

Our Docket: P-NI 4552

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
J. Michael Salbaum

Serial No.: 09/754,997

Filed: January 4, 2001

For: NOPE POLYPEPTIDES,  
ENCODING NUCLEIC ACIDS  
AND METHODS OF USE

U.S. Patent and Trademark Office  
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) Examiner: Unknown  
)  
) Group Art Unit: 1632  
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Karly Tambara

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

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COMMUNICATION

Sir:

Responsive to the NOTICE TO FILE MISSING PARTS and CRF  
PROBLEM REPORT mailed October 29, 2001, submitted herewith is the  
computer readable form of the paper copy of the sequence listing  
filed with the application on January 4, 2001.

A copy of the paper copy of the sequence listing is  
also enclosed. No new matter is introduced by the computer  
readable form as it merely represents the sequence listing  
originally filed with the application. Applicants also submit  
herewith a statement under 37 CFR § 1.821(f) and (g).

01/31/2002 HANDED1 00000055 030370 09754997

01 FC:115 110.00 CH

Date: January 23, 2002

Respectfully submitted,

Deborah L. Cadena

Deborah L. Cadena

Registration No. 44,048

Telephone: (858) 535-9001

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CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601



DECLARATION FOR PATENT APPLICATION  
Attorney Docket No.: P-NI 4552  
Serial No.: 09/754,997

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Karly Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Kfambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)



PAPER COPY OF SEQUENCE LISTING,  
PAGES 1 THROUGH 35, AND SEQUENCE  
LISTING IN COMPUTER READABLE FORM  
Attorney Docket No.: P-NI 4552  
Serial No.: 09/754,997

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Karly Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

K. Tambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)





POWER OF ATTORNEY FOR PATENT  
APPLICATION BY ASSIGNEE  
Attorney Docket No.: P-NI 4552  
Serial No.: 09/754,997

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Karly Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Uktambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)



RECORDATION FORM COVER SHEET AND  
ORIGINALLY EXECUTED ASSIGNMENT  
Attorney Docket No.: P-NI 4552  
Serial No.: 09/754,997

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Karby Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Kfambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)



STATEMENT UNDER 37 C.F.R. § 3.73(b)  
Attorney Docket No.: P-NI 4552  
Serial No.: 09/754,997

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Karly Tambara

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

ktambara

(SIGNATURE OF PERSON MAILING PAPER OR FEE)



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: NOPE POLYPEPTIDES, ENCODING NUCLEIC ACIDS AND METHODS OF USE

Application Ser. No.: 09/754,997

Filed: January 4, 2001

Inventor: J. Michael Salbaum

Attorney Docket No.: P-NI 4552

NEUROSCIENCES RESEARCH FOUNDATION, INC., a CORPORATION, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 1/11/02

Signature: Wm Einar Gall

Name: W. Einar Gall

Title: Research Director,  
Sr. Vice President